

MERGER IN THE COURT

Northern Securities Company Begins Defense Before Supreme Justice.

DENIES RIGHT OF FEDERAL JURISDICTION

Holds Minnesota Should Settle Controversy with the State.

ATTORNEY GENERAL DOUG FILES BILL DENIES RIGHT OF STATE TO APPEAL TO STATES COURT.

INVOLVES MORE THAN STATE INTERESTS

Pays Issue in Between His State and Citizens of New Jersey—Law Prohibits Consolidation of Parallel Lines.

WASHINGTON, Jan. 27.—In the United States supreme court today Attorney General Douglas of Minnesota renewed his motion for leave to file a bill of complaint on behalf of the state against the Northern Securities company in the matter of the merger of the Northern Pacific railroad, with other railroads, saying that he had given notice to the defendants as required by the court.

Chief Justice Fuller said argument upon this motion would be heard later in the day, as soon as the hearing of the case under consideration would be completed.

W. D. Guthrie of the Northern Securities company filed a brief with the court stating that company's position. He contended that the bill of complaint proposed to be filed on behalf of the state of Minnesota does not present a controversy of a civil and judicial nature between a state and a citizen of another state justifiable in this court and that no state can call upon this court to enforce its penal or police laws in other states. Hence this court is without jurisdiction.

Action Against New Jersey Company. The bill asks the court, he said, to restrain by injunction a citizen of New Jersey from doing things which are entirely legal according to the laws and which are sanctioned by its statutory policy, simply because those acts violate or evade or tend to circumvent the public or penal or police laws of Minnesota, the complainant state.

"There is," he continued, "no suggestion that the acts complained of are not entirely lawful in the state of New Jersey or that it is not within the corporate powers of the defendant corporation as an investment company to acquire and hold the stocks of railway companies. The sole ground of complaint is the alleged violation in New Jersey of certain enactments contained in the statutes of Minnesota. Hence, he contended, that the injunction prayed for would be enforcing more or less than an order compelling the Northern Securities company to obey the laws of New Jersey and the laws of Minnesota.

Minnesota Corporation Not Named. He called attention to the fact that no relief is sought against the Great Northern Railway company or the Northern Pacific Railway company, although both are corporations of the state of Minnesota and both, therefore, within the jurisdiction of the courts of that state. This was taken, he said, as a confession that neither of these corporations had signed against the laws or the constitution.

He pointed out that as neither of these companies is a party to the suit, no relief can be granted against them. In conclusion Mr. Guthrie contended for the continuance of the policy which had prevailed, he said, during the history of the government, of allowing each state to control its own affairs in preference to the interference on the part of the federal judiciary.

When the preceding case had been completed Attorney General Douglas was recognized to make his argument in support of the motion for leave to file his bill of complaint. Mr. Douglas made the following points in support of his contention, that the state is an original suit in this court:

Right of Jurisdiction. The right of a state to invoke the jurisdiction of this court to protect its property and individual rights and interests in an action against the citizens of another state has long been recognized. The state of Minnesota owns upward of three million acres of land within its limits, which is near to, or in, the territory alone traversed by the two railroads. The state is dependent almost entirely upon these roads for the development of this land and the facilities for transportation facilities to the same.

The state also claims the right to maintain this section of the constitution, the trustee or representative of all her citizens. The very existence of such a trust, the citizens of Minnesota will be materially injured by the consolidation of the lines of railway owned and operated by the two companies.

It must be borne in mind that, in addition to the consolidation of the lines of railway, the state of Minnesota has contributed over ten million acres of land in order to support the maintenance and operation of the parallel and competing lines by either the Great Northern or Northern Pacific Railroad. As a part of the consideration which the state received in exchange for such land, the implied agreement of the railroad corporations and their stockholders that these lines of railway should be maintained and operated by such corporations as parallel and competing lines.

State Law Prohibits Merger. A part of the statute law of the state of Minnesota relating to railroad corporations has been for nearly thirty years that no consolidation in any manner whatever shall take place between parallel and competing lines of railway within the state that is in the control of the state, and the maintenance of the state for the right to be a railroad corporation and to exercise the powers and privileges of such within the state is that free and open competition between the lines of railway shall exist, such corporations, and the violation of these statutes is a crime. The state is not bound by the obligations of the corporations within the state, and the state is not bound by the obligations of the corporations within the state, and the state is not bound by the obligations of the corporations within the state.

The state of Minnesota, in attempting to enforce its statutory right and remedy by means of this bill, is not asking the court to enforce anything contrary to the declared public policy of New Jersey or of the national government. The declared public policy of New Jersey and the United States is against the consolidation of the so-called "anti-trust law" of the United States, which has been before this court on several occasions.

Affects Stockholders as Well. The stock of the Great Northern and Northern Pacific railway companies, the title to which is placed in the Northern Securities company, in the manner and for the purposes of the bill, must be deemed to be held by the last named company as though located in and subject to all the laws of the state of Minnesota. Every power sought to be exercised

PLEASES EMPEROR WILLIAM

America's Attitude on Prince Henry's Coming Visit Gratifies German's Ruler.

BERLIN, Jan. 27.—Emperor William signified his birthday today by conferring territorial titles on all the regiments which had hitherto borne no distinctive names.

In the morning Emperor William and the imperial family attended divine service in the chapel of the castle. The members of the diplomatic corps and the imperial cabinet were present.

This afternoon Emperor William held a "congratulation court" in the white hall, at which all the dignitaries of state were present. During this reception the emperor held Andrew D. White, the American minister in conversation for a few minutes, during which he was much pleased over the way his brother's proposal was being received in the United States.

In the afternoon the emperor and the prince of Wales repaired to the army, both wearing the ribbon of the black eagle. His majesty was cheered by large crowds along the route, and the cheers, led by General von Hahnke, chief of the emperor's military cabinet, were repeated within the army.

FREEDOM HOURLY EXPECTED

Release of Missionaries Now Regarded as Matter of Only Few Hours.

DIAMALA, Roumania, Jan. 27.—The release of Miss Ellen M. Stone and Mrs. Talika is now expected hourly. At the request of the American negotiators the government has granted the former entire freedom to cross and recross the frontier, so as to facilitate the liberation of the captives. A. A. Garigule, first dragoman of the United States legation at Constantiople, Dr. House and W. W. Piet, treasurer of the American mission at Constantiople, have undertaken to haul over the ransom and receive the captives. They have accepted all risks and by special request, are no longer accompanied by an escort of soldiers.

LONDON, Jan. 27.—A dispatch from Sofia, Bulgaria, today says: The ransom of Miss Ellen M. Stone and Mrs. Talika has been paid to the brigands and the captives are expected to be released today.

TO ENFORCE ELECTION LAWS

Southern Republicans Preparing Bill Designed to Insure a Fair Ballot.

WASHINGTON, Jan. 27.—At a caucus of right southern republicans in congress today a bill was introduced for the purpose of a measure to be introduced in both houses, comprising an amalgamation of the best features of the bills already presented in the house by Messrs. Bartholdt of Missouri and Gibson of Tennessee, for the enforcement of the election laws.

Senator Pritchard of North Carolina presided and designated Mr. Gibson to prepare the proposed measure, whose features were tentatively agreed upon. These provide for the honest enforcement of the state election laws, the right of minority representation and means by which the arrested party contesting an election case may be heard by the state canvassing board. If he is disappointed with the result he is to have the right of appeal to the district judge, who is clothed with power to hear and try questions of law and fact de novo raised before the canvassing board and to issue the certificate of election to the person having the highest number of votes. This is to constitute prima facie evidence of his election, upon which he may be sworn in by the house.

There was some discussion of the Crum-packer bill, which reduces the congressional representation in the south on the basis of the vote cast at elections, but the sentiment of nearly all the members present was against it. In its stead the southern republicans will offer the measure agreed on tonight.

There were present at the meeting in addition to Senator Pritchard, Senator Elkins, and Representatives Bartholdt, Gibson of Tennessee, Boeringer of Kentucky, Moody of North Carolina, Gaines of West Virginia, and Doyner of West Virginia and Ball of Delaware.

DENIES SOUL'S IMMORTALITY

Dr. Parkhurst Preaches a Sensational Sermon at Madison Square Church.

NEW YORK, Jan. 27.—In a sermon on "Immortality" Rev. Dr. Charles H. Parkhurst, in the Madison Square Presbyterian church, declared against the popular theological belief that all souls are immortal. He expressly gave it as his opinion that the scriptures do not teach immortality of a soul from death and that a soul must be taken care of in this life or else it will perish utterly, either at the death of the body or after a longer or shorter period of life beyond the grave. Dr. Parkhurst said in part:

"There is nothing in scripture or in things that encourages us to feel that a soul can be kept from dying any more than a body. The soul is as mortal as the body. There is no warrant from bible or from nature for supposing that a soul carries within itself a policy of insurance against its own eventual obliteration."

The sermon is attracting some attention among the Presbyterians here to a belief in the doctrine of immortality of the soul.

LARGE BUILDING IN RUINS

Five-Story Structure Destroyed at Loss of Two Hundred Thousand Dollars.

ST. PAUL, Jan. 27.—Fire tonight completely gutted the Davidson block, a five-story brick structure at Fourth and Jackson streets, causing a loss of over \$200,000. The building is in the heart of the wholesale district and for a time it seemed as if the flames would spread and do greater damage. The firemen were hampered by severe weather, the thermometer standing at 19 below zero.

The loss on the building, which is owned by the Northwestern Mutual Life Insurance company of Milwaukee, Wis., is placed at \$125,000. Sternberg, Williams Co., clothiers, occupied the three upper floors and sustained a loss of \$75,000. The American, Wells Fargo, United and Western Express companies occupied the ground floor, but their losses were comparatively small.

Removes the Superintendent. GUTHRIE, Okla., Jan. 27.—Acting on the report of the investigating committee as to the management of the Oklahoma same assembly, Governor Ferguson today removed Dr. Felix L. Winkler of Kingfisher as superintendent and placed a committee of four physicians temporarily in charge.

FAVORS UNIT OF NEBRASKA

Congressman Stark Now Opposes Split Into Judicial Districts.

ASKS THAT HIS BILL BE HELD UP

Congressman Mercer Finds No Encouragement for Visit of Prince Henry to Omaha—Experiment Stations for Irrigation.

(From a Staff Correspondent.) WASHINGTON, Jan. 27.—(Special Telegram.)—A split exists in the Nebraska delegation over the several bills introduced in both branches of congress for the division of the state into judicial districts. Representative Stark, who has been holding his ear to the ground for several weeks, with the view of ascertaining the wishes of his constituents, evidently has found conditions not exactly favoring his bill, for he filed a letter today with the chairman of the judicial committee asking that no further action be taken on his bill.

After stating that the bill had been introduced in good faith at the instance of a number of his constituents he says: "I have recently taken the matter up with the committee submitting a brief to you in support of the bill, and after full examination I find the facts to be that there is no necessity at this time to increase the federal courts in Nebraska; that as now constituted, all matters are speedily determined; that there is no increase in the immediate future; that about two-thirds of the current business comes from the Indian reservation in Nebraska, and those familiar with reservation matters believe that in the future the work from those sections will greatly decrease.

Considers it a Waste. "To establish another district in Nebraska would entail a large expenditure of money annually and when not necessary for public service is a waste and extravagance of public funds. I therefore request that H. R. 7632 lie on the table without further action.

"But I deem it proper to say that I would favor a bill to fix the number of district courts at least one year at Alliance and North Platte, thereby saving to the party litigants the items of large expense for mileage, and have witnesses come into the open court and give their testimony instead of by deposition, as is now necessary in practice."

It is evident, however, that Stark's letter will not have any appreciable effect on the other representatives from the South Platte, for both Burkett and Shallenberger expect to push their bills. Burkett's, however, is the bill which is being championed by W. S. Schley school building, where the pupils sang "See the Conquering Hero Comes." In his short speech he said that honor and honesty are the handmaids of valor. He said, too, that he was very glad to see the school named after him. A small boy piped out "I am glad they named it after you," whereupon there were shouts of laughter and general applause.

At 11 a. m. twenty-two representatives of the German societies of Chicago met with little ceremony at the auditorium of the German societies of Chicago to receive the admiral with resolutions of esteem.

At 3 o'clock Admiral and Mrs. Schley were tendered a public reception at the Auditorium hotel. The ladies and approaches to the second floor corridor, where the distinguished visitors stood, were crowded as the admiral and his wife ascended the stairway a chorus of fifty young women, attired in sailor suits, sang, "See the Conquering Hero Comes."

In the rear of the reviewing stand a company of the first ship's crew of the Illinois naval militia acted through congress the admiral and his wife. The reception terminated at 5 o'clock, at which time Chairman Munger estimated that the admiral had shaken hands with 3,500 people.

The cause of the reception was the welcome accorded seventeen members of Commodore Dewey's squadron at Manila.

GIRL IS HER OWN AVENGER

State Failing to Make a Case, Miss Seidler Shoots Clyde Pattison.

GEDDES, S. D., Jan. 27.—(Special Telegram.)—An attempt at murder was made at Wheeler, S. D., at 10 this morning, after the state had failed to prove a case against Clyde Pattison. Miss A. Seidler, the complainant, shot Clyde Pattison in the back and shot again, but the second bullet missed him. The case was tried in the court house where were filled with people attending court. A doctor probed for the bullet, which he could not find. The deed was done with a 32-caliber revolver.

Amanda Seidler had sworn out information against Clyde Pattison, accusing him of seduction. The case was called in circuit court today. Judge Smith dismissed the case on account of a defect in the indictment. As the parties were leaving the courtroom Amanda drew a revolver and fired two shots at Pattison, the first taking effect in the back just below the shoulder. The doctors have failed to locate the bullet, and Pattison is in a critical condition. The girl has not been arrested and public opinion is so strong in her favor that it is doubtful if she will be.

MEN ARE STILL MISSING

Ten Members of Captain Porter's Command of Marine Corps Fall to Return.

MANILA, Jan. 27.—The ten men of the command of Captain David D. Porter of the United States Marine Corps who failed to return from the expedition into the interior of Samar, when Captain Porter and twenty-six members of his party reached the coast of that island, January 24, are still missing and little hope of their safe return is entertained.

COMMITTEE HEARS CANAL MEN

Monday Fixed as Date and Members of Isthmian Commission to Be Heard First.

WASHINGTON, Jan. 27.—The senate committee on interoceanic canals did not make a report today, but decided to have hearings beginning next Monday. The members of the Isthmian commission and such other witnesses as may be desired will be summoned.

Record to Be Sold at Auction. PHILADELPHIA, Jan. 27.—Assistant United States Attorney General James M. Peck, as special master commissioner, has decided to sell the Philadelphia Record at public auction at noon on May 25 next in this city.

LUNGS CONGESTED BY GAS

Theory of Expert Offered as Possible Cause of Rice's Death.

NEW YORK, Jan. 27.—The second day of the trial of Lawyer Albert T. Patrick, accused of the murder of William Marsh Rice, brought it to the point where the cause of the death of the millionaire is sought to be determined. The first witness along this line of inquiry introduced by the prosecution was Dr. Hamilton Williams, one of the physicians attached to the coroner's staff, who attended the autopsy.

The gist of his testimony was that the lungs were congested and that this was due to the inhalation of some gaseous irritant and that chloroform could have produced such a condition of the lungs. He later said pneumonia could produce the same condition.

Charles Plowright, the undertaker, who was called in by Patrick to prepare the body of Rice for cremation, testified that he had said to Patrick that it would require twenty-four hours to prepare for cremation and suggested embalming, to which Patrick assented.

John S. Potter, Plowright's assistant, testified that Patrick had shown him a letter signed by Rice, expressing the wish that after death his body should be cremated. The morning of the day set for cremation he had been called on the telephone by Patrick and told that the cremation must be called off in consequence of a telegram he (Patrick) had just received from Texas, but that it would probably be held two days later. The letter to which the witness alluded was dated August 3, 1900. It was admitted as evidence.

Dr. Hamilton Williams, a coroner's physician, testified that the autopsy on Rice's body showed the brain, heart and kidneys normal, but an intense congestion of the lungs.

"I believe," said Mr. Williams, "that nothing but a gas would irritate could have produced the condition of the lungs I may say, instead of believing, that I know from experience this to be the fact."

SCHLEY PUTS IN A BUSY DAY

Is Accorded Heavy Reception by School Children and Adult Admirers.

CHICAGO, Jan. 27.—The last day of Admiral Schley's visit to Chicago was full of interesting incidents. Reception followed reception, and it is estimated that during the day the admiral shook hands with more than 5,000 persons, men, women and children.

The first item on the distinguished visitor's schedule was a visit to the new W. S. Schley school building, where the pupils sang "See the Conquering Hero Comes." In his short speech he said that honor and honesty are the handmaids of valor. He said, too, that he was very glad to see the school named after him. A small boy piped out "I am glad they named it after you," whereupon there were shouts of laughter and general applause.

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RECEPTION AT HIGH SCHOOL

W. F. Johnson called the attention of the board to the reception which will be held at the new High School building next Saturday afternoon. President Barnard will deliver a brief address at that time. John Latenser, architect, and the members of the buildings and property committee of last year will also speak briefly. Mr. Stubbendorf will present the keys of the building to Principal A. H. Waterhouse. Music will be furnished by members of the High School.

The Omaha Carpet company was awarded a contract for window shades for the new High School building on a bid of \$27,000. Other bids were received, ranging from \$291 to \$357.

DECIDES FOR OMAHA ROAD

Judge Humphrey Rules Against Sale of Omaha, Kansas City & Eastern Railway.

SPRINGFIELD, Ill., Jan. 27.—In the United States circuit court today Judge Humphrey entered a decree contrary to that entered by Judge Ames Thomas in the United States circuit court for the western district of Missouri in the case of Samuel Fordyce and Webster Withers, receivers of the Kansas City, Pittsburg & Gulf Railroad company, and others against the Omaha, Kansas City & Eastern Railway company, et al., to foreclose a mortgage of \$567,000 and interest, amounting in all to \$915,367, and ordering the sale of the Omaha, Kansas City and Eastern road at Pottsburg, Mo.

COLLINS REFUSED HEARING

Man Convicted of Murder Fails to Obtain a New Trial.

TOPEKA, Kan., Jan. 27.—Judge Hasen in the district court today refused the writ of coram nobis for John Collins. The writ was asked for the purpose of securing a new trial of the Collins murder case. The questions arising over the writ will be appealed to the supreme court.

John Collins was convicted three years ago of killing his father, J. S. Collins, a prominent real estate man of this city. Mr. Collins, sr., carried a large amount of life insurance and to secure this was said to have been the motive for the crime.

SCHOOL LEVY IS SIX MILLS

Board of Education Accepts Estimates of Finance Committee.

THREE MEMBERS VOTE IN THE NEGATIVE

Chairman Maynard Expresses Opinion that Levy is Not High Enough to Prevent Increase in Floating Indebtedness.

Six mills will be the school levy for 1902. At last night's meeting of the Board of Education the report of the finance committee recommending that the levy be fixed at this figure was adopted by a vote of 9 to 3. Members Homan, Howard, Theodore Johnson, W. F. Johnson, Maynard, McIntosh, J. J. Smith, Stubbendorf and Barnard voted for the levy. Members Wood, Robert Smith and Cermeck opposed it. Members Levy, Funkhouser and Anderson were not present.

After Chairman Maynard of the finance committee made his report concerning the levy he was asked if he believed that a 6-mill levy will maintain the schools without any increase in the floating indebtedness. In his opinion the levy is not high enough to prevent an increase in the floating indebtedness, but the other two members of the finance committee, J. J. Smith and Homan, expressed the opinion that the levy is sufficient to carry on the schools without further reductions in salaries or decrease in the teaching force if strict economy is practiced.

The levy was opposed by Mr. Wood, who said that he was confident it would not meet the expenses. He declared that he would rather make a heavier levy than have a deficit at the end of the year. Robert Smith stated that he believed the levy was sufficient to carry on the schools very satisfactorily, but refused to vote for it because it was coupled with a report which advised an appropriation of funds which he did not approve.

EXPENDITURES AND RESOURCES.

The expenditures and resources for last year and the estimated resources and expenditures for the present year are shown in the following tables, which were included in the report of the finance committee:

Table with columns for 1901, 1902, and Estimated 1902. Rows include Advertising, Architect's services, Bond redemption fund, Carriage, Census enumerators, Construction, Drawing, Electric supplies, Election expense, Expenses, Furniture, Improvements, Insurance, Interest and exchange, Light and fuel, Maps, charts and globes, Piano rent and tuning, Rent, School building, Salaries officers and employees, Special taxes, Stationery and supplies, Tax collector, Teachers, Miscellaneous, Totals, Resources, Est. 1902, Resources, Est. 1902, Liquor licenses, Miscellaneous licenses, Interest on funds, Rentals, School building, Miscellaneous sources, Total amount of levy, Totals, Receipts at High School.

KILLS MAN IN CHURCH PEW

Persistent Slanderer Shoots Sweetheart's Brother, Who Objects to Match.

CHILLICOTHE, O., Jan. 27.—Joseph Cox shot and killed Howard Ratcliff at church Sunday evening at Eagle Mills fifteen miles east of here. Cox had been paying attention to Ratcliff's sister and Ratcliff strongly objected. Cox took Mrs. Ratcliff to church last night and when Ratcliff saw them together in church he at once assaulted Cox, who drew a revolver and fired the ball passing through Ratcliff's body. He fell in the aisle and expired amid the shrieks of terrified women. Both men are of respectable families and both are school teachers. Ratcliff married a sister of Cox. Cox was arrested and taken to McArthur today.

MOB LYNCHES TWO NEGROES

Accused of Murdering a White Man in Trouble Over Some Hogs.

NEW ORLEANS, Jan. 27.—Two negroes have been lynched in a distant portion of West Carroll parish, Louisiana, for the murder of G. N. Grant, a police juror from Grand Grant, while out hunting with a friend named McKay, came upon some negroes who had killed and were cleaning hogs. He found that the animals were his own hogs and attempted to arrest the negroes, when one of them fired at him, the bullet entering his brain. McKay aroused the whites in the neighborhood with the news of the murder. A posse was hastily formed. Three negroes were captured and two of them were lynched at once.

MOVEMENTS OF OCEAN VESSELS, JAN. 27.

At New York—Arrived—Calabrian, from Genoa and Naples; Minnehaha, from London. Departed—Portland, Me.—Arrived—Dominion, from Liverpool. Departed—Dominion, from Liverpool. Arrived—Foreic, from Portland, Ore. Departed—Foreic, from Portland, Ore. Arrived—Oscane, from Tacoma. Departed—Oscane, from Tacoma. Arrived—Etruria, from New York. Departed—Etruria, from New York. Arrived—Kaiser, from New York. Departed—Kaiser, from New York. Arrived—Patricia, from New York. Departed—Patricia, from New York. Arrived—Breslau, from New York. Departed—Breslau, from New York. Arrived—Travo, from New York. Departed—Travo, from New York.

CAUSE OF ACCIDENT.

The quantity of explosives blown up and the cause are not definitely known. Several causes are given. One was that a fire started near the powder room, and the master mechanic, William Tuggs, lost his life in a desperate attempt to quench it before it reached the deadly fuel. Another was that it started from a spark produced by a stray current of electricity. A third placed the blame upon a blast in the tunnel. Still another gave a gas explosion from electrical current in the trolley conduit of

CONDITION OF THE WEATHER

Forecast for Nebraska—Fair Tuesday; Wednesday Fair, with Rising Temperature; Easterly Winds, Becoming Variable.

Table with columns for Temperature at Omaha Yesterday, Hour, Deg., and Hour, Deg. Rows show temperatures for 6 a.m., 8 a.m., 10 a.m., 12 m., 2 p.m., 4 p.m., 6 p.m., 8 p.m., 10 p.m., 12 m.

Indicates Below Zero.

ROBBERS HOLD UP A TRAIN

Seven or Eight Men Perform Daring Deed and Make Their Escape.

BRANCHVILLE, N. C., Jan. 27.—A carefully planned and audacious express robbery took place at 7 o'clock this evening on the Southern railroad, when the passenger train from Charleston reached nearly the exact site of the successful robbery of two years ago, five miles from Branchville.

Seven or eight men were riding on the platform between the engine and baggage car, concealed by the darkness. None were masked. At the fifty-five-mile board two men crawled over the tender and covered the engineer, John Reynolds, with Winchester. They fired two shots, one ball passing through Reynolds' cap. Fireman Gobb escaped by jumping off. Conductor Black, who ran out, was covered and ordered back. By order of these men a brakeman uncoupled the mail, baggage and express cars, which were taken to Fifty-eight station, leaving the rest of the train on the main line. Here several shots were fired into the express car, and one man climbed up, covered Express Messenger Hall with a Winchester and compelled him to open the door. Three men entered the car and stripped the local safe.

There was only a small amount of booty in the local safe and no one here knows the contents of the through safe. No mail or baggage was touched and no passengers were molested.

No measures have been made so far to follow the robbers. The leader is supposed to be Barton Warren. Warren was arrested, charged with having single-handed, robbed the Southern express car just below Branchville in 1899.

HIGHER PLANE OF MORALITY

Conditions in Philippines Are Reported Much Improved by Minister.

COLORADO SPRINGS, Colo., Jan. 27.—Rev. A. L. Hazlett of Colorado City, in his report to the War department on moral conditions in the Philippines, states that the moral conditions in the islands have materially improved since the American occupation.

Speaking of the saloon, he said the strict discipline put in operation by General Otis has borne fruit and that a law to prohibit gambling had also been put into effect recently. Mr. Hazlett makes the following recommendations:

First—A government appropriation for the establishment of soldiers' institutes and of the non-alcoholic features of the post exchange system.

Second—A general order prohibiting the sale of wine to soldiers.

Third—The investigation of the charges against officers at Jolo, charged, and I believe justly, with maintaining a gambling establishment without knowledge of the War department and contrary to army regulations.

STREET CAR BADLY WRECKED

Collides with Train and is Carried Down the Track Some Distance.

CHICAGO, Jan. 27.—Twelve persons were injured, one perhaps fatally, by the collision of a street car with the limited passenger train on the Milwaukee & St. Paul railroad this evening. The accident occurred at the West Chicago avenue crossing of the railroad, which is watched by a gateman. No arrests were made, as the police were unable to fix the blame for the accident. The street car was smashed and carried thirty feet down the track. The wreckage caught fire and several of the passengers were slightly burned.

The most seriously hurt is John Osekack, who was taken unconscious from the wreck of the car. He is badly cut about the head and has internal injuries. All the others will recover.

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